

TOWN OF HAMBURG PLANNING BOARD AGENDA

DATE: June 29, 1988

TIME	NAME	PURPOSE
7:30	EXECUTIVE MEETING	
8:00	Learn & Play Day Care Center Special Use Permit	Hamburg Roller Rink - Public Hearing
8:20	Eaglecrest Part II Duplex Subdivision	Public Hearing
8:40	Southland Sub.	Sowles & S. Park - Public Hearing
9:00	Ann Engler (Benedict) 648-3473	Rezoning for office building next to Sabad Gun Sales
9:20	Brierwood P.U.D.	Status Report
9:40	East Coast Const. of W.NY Katherine Marshall 648-4247	3055 McKinley Parkway 11 Townhouses (site plan approval) former Bosse's site plan never approved.
10:00	John Klocke Kaehnel Car Wash	Big Tree & St. Francis Drive
	Terry Leavitt Brompton Estates	second phase
	Bruce Jansen Sovran Group	Mini-Warehouse
	Jim Ball	Used car lot Milestrip & McKinley

Jim Ball
Approval of Minutes

1. Rezoning petition of Locksley Park referred by Town Board
2. Bing Putnam rezoning - Boston State Road
3. Rezoning - Ken & Marsha Nigro - Big Tree Rd. from C-2 to R-3.
4. Re-approval of West-Herr Site plan car storage lot. Sowles Rd.
5. *Zimmer - Richcrest Sub. Phase I lot size change.*

TOWN OF HAMBURG

PLANNING BOARD MINUTES

6-29-88

The Town of Hamburg Planning Board met in regular session on Wednesday, June 29, 1988 at 7:30 p.m. in Hamburg Town Hall.

Members attending included: Chairman Richard Crandall, Steve Strnad, Gerard Koenig, Elgin Cary, G. Valgora, S. Carnevale, Dennis Gaughan. Others attending included: Dan Gorman, Attorney, George McKnight, and Terry Dubey, Stenographer.

Minutes of the meeting of 6-15-88 were approved on motion by Mr. Koenig, seconded by Mr. Carnevale. Carried.

LOCKSLEY PARK REQUEST FOR REZONING FROM R-2 TO R-1

Mr. Paul Howe, President of the Locksley Park Taxpayers Assoc. appeared before the Planning board on a rezoning referral from the Town Board to rezone all of Locksley Park, Athol Springs from where it abuts Locksley Park, along the Lake Shore Rd. to Camp, all Camp to Railroad tracks back to R-1. It had been changed to R-2 in 1987 in the overall zoning ordinance update. A recommendation is required for the Town Board. It was noted that in the discussion the estate area could be considered R-E, as it originally was. The next Town Board meeting is scheduled for July 25th. Planning Board meeting is July 13th at which time some type of recommendation is expected.

BING PUTNAM REZONING APPLICATION BOSTON STATE RD. (ABUTS TOWN GOLF COURSE)
FROM R-A TO R-3 MULTI-FAMILY

Mr. Bing Putnam appeared before the Planning Board with Paul O'Neill on a rezoning application which was referred to the Board from the Town Board. The proposal calls for 18 town house units on a 5½ acre parcel on Boston State Road. The property runs along Boston State Rd. easterly from the entrance to the Town Golf Course. The property backs up to the course.

Motion was made by Mr. Strnad, seconded by Mr. Carnevale to forward a favorable recommendation for the following reasons:

1. To approve the rezoning to allow construction of 18 town house units.
 2. That the front of the property be bermed to prohibit direct access.
 3. Because of the public open space surrounding it construction will not create a problem on density of residential development.
 4. Sewers are available to the property to make townhouse development feasible.
- Carried.

REAFFIRMATION APPROVAL FOR WEST HERR FORD STORAGE FACILITY CAMP & SOWLES

Board members were informed that the time limit for issuance of a building permit for West Herr Ford on Camp and Sowles has expired. Another approval must be given as they are ready to pick up their permit.

Motion was made by Mr. Koenig, seconded by Mr. Gaughan to re-approve the site plan for West-Herr Ford for the storage facility on Camp and Sowles Rd. Carried.

6-29-88

PUBLIC HEARING FOR LEARN & PLAY DAY CARE CENTER (HAMBURG ROLLER RINK)

Secretary Cary read the following Legal Notice for the Learn & Play Day Care Center in the Hamburg Roller Rink:

LEGAL NOTICE
TOWN OF HAMBURG
PLANNING BOARD
 Pursuant to Section 29-196.2 of the Zoning Ordinance, notice is hereby given that the Planning Board will hold a Public Hearing on June 29th 1988 at 8:00 p.m. to consider the following:
LEARN & PLAY CHILD CARE CENTER in Hamburg Roller Rink to be located on Part of Lot 52, T-9, R-8 located at 6000 South Park Avenue. Hearing will be held in the Planning Board room, S-6100 South Park Avenue.
 DATED: June 16, 1988
TOWN OF HAMBURG
PLANNING BOARD
RICHARD CRANDALL,
CHAIRMAN
ELGIN CARY, SECRETARY
 6-23

Chairman Crandall declared the hearing open. Mr. Don Howe appeared before the Planning Board with a revised site plan showing the play area for the Learn and Play Child Care center which is to be located at the Hamburg roller rink.

A memo was forwarded from the Building Dept. as follows: Day care centers must be approved by the Dept. of Social Services. Two pull alarms at exit doors will be required. Three smoke detectors should be installed; one in the kitchen, and two in other areas. There should be 3 exit door lights and 2 fire extinguishers installed; one in the kitchen and one in the office.

Chairman Crandall noted that the above memo reflects what is required from the Building Dept. Mr. Crandall asked three times if anyone wished to be heard for or against the proposal. Hearing no objection, the hearing was declared closed.

Motion was made by Mr. Koenig, seconded by Mr. Gaughan to approve the Special Permit for the Day Care Center. Carried.

PUBLIC HEARING FOR EAGLECREST SUBDIVISION - DUPLEXES - BIG TREE ROAD.

Secretary Cary read the following Legal Notice for Eaglecrest Subdivision which is to be located on the south side of Big Tree Road on a 10 acre parcel which once belonged to St. Francis. A request was made to have Victorian Lane connect to the mobile home park to provide additional access to Big Tree Road in case of an emergency. The turn-around has been designated as requested for snow plowing purposes. Mr. McKnight noted that a legal agreement should be drawn on snow plowing as there will be some snow that will have to be removed by Eaglecrest maintenance people. On the front area, ditches should be enclosed.

No one spoke in opposition at the public hearing.

Mr. Crandall declared the hearing closed.

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**LEGAL NOTICE
TOWN OF HAMBURG
PLANNING BOARD**

Notice is hereby given that the Planning Board for the Town of Hamburg will hold a Public Hearing on June 29th at 8:20 p.m. for the purpose of approving a duplex subdivision known as EAGLE CREST.

All that tract or parcel of land situated in the Town of Hamburg, County of Erie and State of New York, being part of Lot 15, Township 9, Range 8 and being more particularly described as follows:

Beginning at a point where the north line of Lot 15 which is also the centerline of Big Tree Road, intersects the east line of lands conveyed under Liber 3957, Page 154, thence southerly along said east line a distance of one thousand one hundred thirty-four and sixty hundredths feet (1134.60') to a point; thence easterly on a line parallel with the centerline of Big Tree Road a distance of twenty-seven and seventy-five hundredths feet (27.75') to a point; thence southerly at an exterior angle of $90^{\circ}07'28''$ a distance of two hundred seventy-five and no hundredths feet (275.00') to a point; thence southeasterly at an interior angle of $115^{\circ}37'28''$ a distance of seventy-nine and eighty-four hundredths feet (79.84') to a point; thence southwesterly and at right angles a distance of fifty and no hundredths feet (50.00') to a point; thence southeasterly and at right angles a distance of seventy and no hundredths feet (70.00') to a point; thence northeasterly and at right angles a distance of fifty and no hundredths feet (50.00') to a point; thence southeasterly and at right angles a distance of thirty-five and no hundredths feet (35.00') to a point; thence southwesterly and at right angles a distance of twenty-five and no hundredths feet (25.00') to a point; thence northwesterly and at right angles a distance of thirty-five and no hundredths feet (35.00') to a point; thence northeasterly and at right angles a distance of forty-six and forty-two hundredths feet (46.42') to a point; thence southeasterly and at right angles a distance of one hundred eighty-two and eighty-one hundredths feet (182.81') to a point on the west line of lands conveyed to English by Liber 19, Page 114; thence northerly along said west line, at an interior angle of $64^{\circ}22'32''$ a distance of one thousand four hundred eighty-eight and thirty hundredths feet (1488.30') to a point on the centerline of Big Tree Road; thence westerly along said centerline a distance of three hundred fifty-eight and seventy-seven hundredths feet (358.77') to the point or place of beginning. Said described parcel to contain 11.807 acres of land, more or less.

DATED: JUNE 17, 1988

RICHARD CRANDALL,
CHAIRMAN
TOWN OF HAMBURG
PLANNING BOARD

6-23 ELGIN CARY, SECRETARY

6-29-88

EAGLECREST SUBDIVISION PUBLIC HEARING

Motion was made by Mr. Gaughan, seconded by Mr. Koenig to approve the preliminary for Eaglecrest Subdivision; that the developer cover the ditches by the road; that an agreement be drawn on snowplowing with Richard Smith of Highway, and contingent upon approval by the Building Inspector. Carried.

PUBLIC HEARING ON SOUTHLAND SUBDIVISION - SOUTH PARK AND SOWLES RD.

Secretary Cary read the following legal notice on Southland Subdivision which is to be located on Sowles and South Park Avenue:

**LEGAL NOTICE
TOWN OF HAMBURG
PLANNING BOARD**

Notice is hereby given that the Planning Board for the Town of Hamburg will hold a Public Hearing on June 29th at 8:45 p.m. for the purpose of approving a Duplex Subdivision known as Southland Subdivision.

**SOWLES ROAD AND
SOUTH PARK AVENUE**

All that tract or parcel of land situated in the Town of Hamburg, County of Erie and State of New York, being part of Lot 53, Township 9, Range 7 of the Holland Land Company's survey, bounded and described as follows:

Beginning at a point along the south right-of-way line of Sowles Road, being a 49.50 foot wide road, ninety-eight and no hundredths feet (98.00') east of its intersection with the east line of South Park Avenue, being a sixty-six and no tenths feet (66.0') right-of-way; thence continuing easterly along said

south line a distance of six hundred feet (600') to a point which is the north-west corner of lands conveyed to A.A. Clarone re: Liber 7127, Page 67; thence southerly along said west line a distance of one hundred fifty and no hundredths feet (150.00') to a point along the north line of lands conveyed to Como Construction Corporation re: Liber 7263, Page 591; thence westerly along said north line on a line parallel to Sowles Road a distance of six hundred feet (600') to a point; thence northerly and parallel to the west line of A.A. Clarone a distance of one hundred fifty and no hundredths feet (150.00') to the point or place of beginning. Said described parcel to contain 2.066 acres of land, more or less.

DATED: 6-17-88

**RICHARD CRANDALL
TOWN OF HAMBURG
PLANNING BOARD**

6-23 ELGIN CARY, SECRETARY

Chairman Crandall declared the hearing open: Comments were received as follows: BUILDING INSPECTION--Name of the subdivision should be designated on the site plan. The plan shows 2 driveways for each lot. Consideration should be given to minimize the amount of driveways backing on to this busy County road. The parcel will have 8 duplex units. A filing of a prospectus will be required by the State. A copy of such should be forwarded to the Legal Dept. in the town.

Chairman Crandall asked 3 times if anyone wished to be heard for or against the proposal. Only the applicants appeared in favor. Hearing was declared closed.

Motion was made by Mr. Strnad, seconded by Mr. Koenig to TABLE this matter until the legal agreement is filed with the Dept. of State and the Town Legal Dept. Carried. Ditches should also be enclosed and drive cuts approved by the County.

MINI-WAREHOUSE FOR SOVRAN GROUP ON FORMER WEST PARK PLAZA SITE (BURKE'S PROPERTY)
SOUTHWESTERN BLVD. NEAR THE TOWN HOUSE.

Mr. Bruce Jansen and Maureen Flavin appeared before the Planning Board on an information session for a proposed mini-warehouse storage facility to be located on the former West Park Plaza site owned by E. Burke on Southwestern Blvd. This is

6-29-88

MINI-WAREHOUSE (SOVRAN GROUP)

a 5 acre site with a C-1 zoning. For warehousing, a C-2 zoning is required. With a mini-warehouse no sewers are required. Some board members felt that this is spot zoning abutting an R-2 zone. Applicant was advised that a rezoning will be required.

BRIERWOOD UPDATE

Mr. E. Burke and Paul O'Neill appeared before the Planning Board for conceptual approval for the Amsdell Park Subdivision. The Environmental Impact Statement is in process for the entire project. However, Mr. Burke explained that he is appearing before the Niagara Frontier Builder's this date for preparation of a home show scheduled for next spring. Therefore, conceptual approval is necessary.

Motion was made by Mr. Koenig to grant conceptual approval, contingent upon approval of Traffic Safety and the Environmental Impact Statement findings, seconded by Mr. Strnad. Carried.

EAST COAST CONSTRUCTION - MC KINLEY PARKWAY -FORMER BOSSE SITE

Mr. & Mrs. Marshall of East Coast Construction, appeared before the Planning Board on the former 11 apartment units to be located on McKinley Parkway. This was the former Bosse site which was never approved as Engineering changes were never implemented. Comments were received from Engineering as follows:

1. Location plan should be designated.
2. Pavement section is required.
3. Existing street line proposed - water, sewer.
4. Parking bumpers or a walkway should be shown--elevations should be designated in detail.
5. The Town must get STSTA approval for sanitary connection
 - (A) Unit laterals to be revised.
 - (B) Detail M.H.S. required.
6. Redesign profile on sanitary.
7. Place curb along driveways and at rear for traffic protection.
8. Storm water run-off from the S.W. - flow arrows.
9. Show roof downspout locations proposed to storm sewer or main ditch.
10. Relocate existing ditch and slopes
11. An Erie County Drive permit will be required.
12. Exterior lighting should be shown.

Motion was made by Mr. Gaughan, seconded by Mr. Koenig to approve the site plan for the 11 apartments at 3055 McKinley Parkway contingent upon implementation of Engineering changes. Carried.

6-29-88

JOHN KLOCKE - KAEHNEL CAR WASH - BIG TREE & ST. FRANCIS DRIVE AT THE CIRCLE

Mr. John Klocke and Mr. Kaehnel appeared before the Planning Board with a preliminary sketch of a fully-automated car wash to be located at the circle of St. Francis and Big Tree Roads. This is a 6¼ acre parcel. Board members noted that part of this property is in the flood plain. Building Inspector Lauchert has requested that the floor elevation should be 2' above the flood plain. Drive cut should be approved by the State Dept. of Transportation. Traffic safety board should also be informed on the site as well as Conservation.

BROMPTON HEIGHTS ESTATES - PHASE 2 - TERRY LEAVITT

Mr. Terry Leavitt appeared before the Planning Board with a sketch of 31 sub-lots known as "Brompton Heights" off of Highland Parkway. The parcels are zoned R-2. The applicant was advised to use a larger scale. The dwellings will be in the \$200,000 price range for an area of 3200 s.f. An adjacent neighbor to S.L. 31 noted that he would like some type of buffering between his dwelling and the proposed. Applicant was advised that a Public hearing can be scheduled for July 13th pending receipt of a legal description and \$75 filing fee.

AUSTIN PONTIAC USED CAR LOT - LAKE AVENUE & MC KINLEY PARKWAY.

Mr. Bill Collins appeared with a survey of a proposed used car lot to be located at Lake Avenue & McKinley Parkway for a used car lot across from the McKinley Mall. At the present time the parcel is zoned C-2 and in order to park within the first 35', a variance will be required by the Zoning Board of Appeals. Applicant was advised that a site plan will be required as well as some type of landscaping plan.

Motion was made by Mr. Strnad, seconded by Mr. Koenig to reject the site plan as presented and forward it to the Zoning Board for parking within the first 35'. Carried.

REZONING APPLICATION FOR KEN & MARSHA NIGRO - BIG TREE RD. FROM C-2 TO R-3

An application for rezoning was forwarded by the Town Board on a parcel of land owned by Ken Nigro on Big Tree Road. The request is for a zoning change from C-2 to R-3. Applicant did not appear. No action was taken.

JAY POHLMAN - ARTHUR COURT APARTMENTS - SOUTH PARK AVENUE

Jay Pohlman appeared before the Planning Board for information session on additional units for the King Arthur Court Apartments on South Park Ave. The proposed expansion will be located to the back. Parcel is zoned R-3.

RICH-CREST SUBDIVISION - REVISION IN LOT SIZES AND NUMBER OF LOTS

A revised site plan has been drawn for Richcrest Subdivision on Big Tree Bayview. Since number of lots have been reduced applicant was advised that another public hearing will be required. Applicant to be advised to come in for July 13th meeting.

REZONING PETITION OF BULLSEYE CONSTRUCTION - OLD LAKEVIEW RD. & NEW LAKEVIEW RD.

A rezoning application for Bullseye Construction was presented by the Board for single family dwellings and a zoning change from R-A to R-1. Thirty-one dwellings are proposed. There is some discrepancy in the legal description. No action taken. Matter tabled until July 13th meeting.

SCRANTON PARK SUBDIVISION

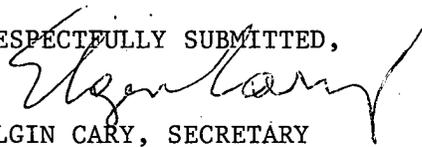
The Scranton Park Subdivision was approved back in 1981. The applicant now wants to put doubles on the parcel in place of single family. Board feeling on the meeting is that a new public hearing will be required as lot sizes will change.

Motion to adjourn the meeting was made by Mr. Koenig, seconded by Mr. Carnevale. Carried. Meeting adjourned at 12:00 midnite.

NEXT MEETING DATE:

JULY 13, 1988
7:30 P.M.

RESPECTFULLY SUBMITTED,


ELGIN CARY, SECRETARY
PLANNING BOARD

TOWN OF HAMBURG

S-6100 SOUTH PARK AVENUE • HAMBURG, NEW YORK 14075 • (716) 649-6111



Supervisor
JACK QUINN, JR.

Councilmen
D. MARK CAVALCOLI
JAMES F. CONNOLLY
DANIEL J. HENRY
PATRICK H. HOAK

Town Attorney
VINCENT J. SORRENTINO

Town Clerk
GEORGE DANYLUK

Supt. of Highways
RICHARD A. SMITH

Receiver of Taxes
ROBERT A. MARS

June 30, 1988

TO: THE HAMBURG TOWN BOARD

SUBJECT: Rezoning Petition of Bing Putnam for Development of 18 Townhouse Units to be located on Boston State Road on a 5½ acre parcel which backs up to the Golf Course.

At the Planning Board meeting held on 6-29-88, a motion was made by Mr. Strnad, seconded by Mr. Carnevale to forward a favorable recommendation to the Town Board for approval of 18 townhouses to be located on Boston State Road. Rezoning request is from R-A to R-3.

Favorable recommendation is for the following reasons:

1. To approve the rezoning to allow construction of 18 town house units.
2. That the front of the property be bermed to prohibit direct access.
3. Because of the public open space surrounding it, construction will not create a problem on density of residential development.
4. Sewers are available to the property to make townhouse development feasible. Carried.

Public hearing can be scheduled.

Sincerely,

TOWN OF HAMBURG PLANNING BOARD

Richard Crandall, Chairman

TOWN OF HAMBURG

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Pre file Resolution
Councilman Cavalcoli
July 25, 1988

6-30-88

RESOLVED, that the Town Board set a Public Hearing for a rezoning petition of Bing Putnam for development of townhouse units on Boston State Rd. on a 5½ acre parcel which backs up to the Golf Course. The proposed development will not interfere with properties being considered for expansion of the Town Golf Course.

The public hearing is set for August 22, 1988 at 7:00 P.M. (local time).

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June 29, 1988

TO: PLANNING BOARD

RE: EAGLECREST SUB-DIVISION, 36 DUPLEXS

All the lots appear to exceed the code which is required for duplexs. When the duplexs are spaced on these lots I think it would be a good recommendation to have as few driveways to the road as possible. Therefore, duplexs, should be constructed to minimize the amount of road cuts. This will be a secondary road Victorian Drive to the main road off Big Tree Road.

When future plans are presented, I would appreciate reviewing them.

Sincerely,

John J. Lauchert, C.P.C.A.
Building, Zoning & Plumber Inspector
Code Enforcement Officer
Town of Hamburg

JJL/cac

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June 29, 1988

TO: PLANNING BOARD

RE: SOUTH LANDS SUB-DIVISION, SOUTH PARK & SOWLES ROAD

I would appreciate if you put the name of the sub-division on the plan. This is an eight lot sub-division and the lots appear to be the right size, zoned R-3. I hope you are aware there is proposed to be sixteen driveways and 600 feet. As the typical plan shows that there is two driveways for each lot. Consideration should be given to minimize the amount of driveways backing on to this busy county road.

RE: EAST COAST CONST. WESTERN N.Y.
3055 MCKINLEY PKWY., 11 TOWN HOUSES

IT'S ABOUT TIME these plans were finally submitted so that this has been talked about and kicked around for many years. I am glad to finally see there is going to be some progress made on site.

Enclosed are my plans stamped with my name, please return the plans to me when you are completed with them. Thank you.

Sincerely,

John J. Lauchert, C.P.C.A.
Building, Zoning & Plumber Inspector
Code Enforcement Officer
Town of Hamburg

JJL/cac

June 29, 1988

PLANNING COMMENTS:

SOWLES - SOUTHLAND DUPLEXES - SOWLES RD. & S. PARK ACROSS FROM I.A.

1. Is there a garage?
2. If not, the off street parking may be a squeeze

EAST COAST CONSTRUCTION - TOWNHOUSES ON MC KINLEY FORMER BOSSE PROPERTY

1. No area map location is included.
2. Bumper blocks or curbs are required.
3. Need a 4 ft. variance for rear yard. Needs 20' min. have 16'
4. Are the units going to have sidewalks
5. Is recreation space or money in lieu of land ~~will be~~ requested.
6. What patio service areas will be provided?

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June 29, 1988

TO: PLANNING BOARD

RE: DAY CARE CENTER, HAMBURG ROLLER RINK

Under 29-196.2 C the play space provided is 5508 square feet for children under three years of age, 73 are permitted. For children over three years of age, 55 children would be permitted. Nursery schools and day care centers must be approved also by the Department of Social Services. Plans also have to show that there is 2 pull alarms at the exit doors remote from each other. Three smoke detectors one in the kitchen and two in the other areas. Three exit door lights two fire extinguishers, one in the kitchen and one in the office, there should be a ten pound ABC. You are suppose to list the size of all the doors and show me the type of construction to be used to construct a two hour wall.

Sincerely,

John J. Lauchert, C.P.C.A.
Building, Zoning & Plumber Inspector
Code Enforcement Officer
Town of Hamburg

JJL/cac

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6-28-88

TO: Jack Quinn, Supervisor
Town of Hamburg

SUBJECT: Chairman Change for Planning Board

At the Organizational meeting of the Planning Board, G. Gerald Valgora, then Chairman stated that because of increasing job responsibility, he was no longer able to serve as Chairman. Therefore, Richard Crandall was selected for Chairman back Jan. 13, 1988.

In redoing the last payroll, I noticed that the payroll change had never been made. That is why it is being done now but retroactive to January 13th which was the first meeting of the Planning Board.

Hope this explains it.

Sincerely,

Terry
Terry Dubey